

DOCKET NO.: CHIR-0309

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Sergio Abrignani

Serial No.: Not yet assigned

Group Art Unit: Not yet assigned

Filed: Herewith

Examiner: Not yet assigned

For: **BINDING PROTEIN**

EXPRESS MAIL LABEL NO: EL650 273 428US
DATE OF DEPOSIT: January 5, 2001

Assistant Commissioner for Patents
Washington, D.C. 20231

Dear Sir:

PRELIMINARY AMENDMENT

Prior to examination on the merits, please amend the above-identified application as follows.

In the claims:

Please cancel claims 11 and 12 without prejudice.

Please insert the following claims:

21. A method for treating a patient infected with hepatitis C virus (HCV) comprising administering to said patient an amount of a protein having a molecular weight of about 24 kd, or a functionally equivalent variant or fragment thereof, and capable of binding to E2 of HCV, effective to reduce the infectivity of the virus.

22. A composition comprising a protein having a molecular weight of about 24 kd, or a functionally equivalent variant or fragment thereof, and capable of binding to E2 of HCV, in

DOCKET NO.: CHIR-0309

PATENT

combination with a pharmaceutically acceptable carrier.

REMARKS

Applicant respectfully submits that the foregoing claims are allowable. A notice of allowance is earnestly solicited. If the Examiner thinks a telephonic discussion would be helpful, she is asked to contact the undersigned at 215-564-8352.

Respectfully submitted,



Doreen Yatko Trujillo
Registration No. **35,719**

Date: January 5, 2001

WOODCOCK WASHBURN KURTZ
MACKIEWICZ & NORRIS LLP
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TELETYPE UNIT

DOCKET NO.: CHIR-0212

PATENT

RESPONSE UNDER 37 CFR 1.116 EXPEDITED PROCEDURE
EXAMINING GROUP NO. 1642

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Sergio Abrignani

Serial No.: 09/011,910

Group Art Unit: 1642

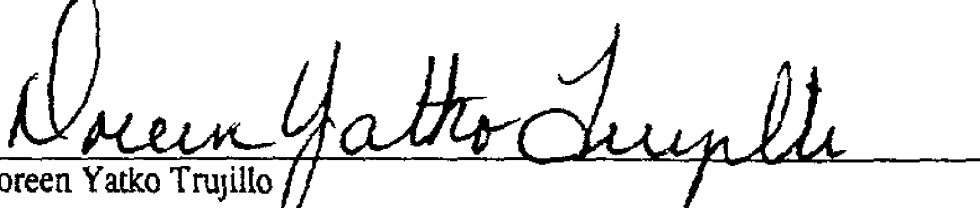
Filed: February 17, 1998

Examiner: B. Brumback

For: **BINDING PROTEIN**

I, Doreen Yatko Trujillo, Registration No. 35,719 certify that this correspondence is being deposited with the U.S. Postal Service as First Class mail in an envelope addressed to Box AF, Assistant Commissioner for Patents, Washington, D.C. 20231.

On January 5, 2001


Doreen Yatko Trujillo
Registration No: 35,719

Box AF

Assistant Commissioner for Patents
Washington, D.C. 20231

Dear Sir:

RESPONSE AND AMENDMENT TRANSMITTAL LETTER

Transmitted herewith for filing in the above-identified patent application is:

- ☒ A Response and Amendment After Final Responsive to the Final Office Action Dated March 2, 2000, following the Advisory Action dated August 29, 2000, Notice of Appeal filed September 5, 2000, received by the U.S. Patent Office on September 8, 2000 and Advisory Action dated November 24, 2000.
- ☒ Other: Copy of postcard indicating receipt of the Abstract by the PTO on January 10, 2000 and a second courtesy copy of the Abstract.
- ☐ Applicant(s) has previously claimed small entity status under 37 CFR §1.27.



RECEIVED 01/05/01

DOCKET NO.: CHIR-0212

PATENT

FEE CALCULATION

☒ No Additional Fee is Due.

				SMALL ENTITY		NOT SMALL ENTITY	
	REMAINING AFTER AMENDMENT	HIGHEST PAID FOR	EXTRA	RATE	FEE	RATE	FEE
TOTAL CLAIMS	16	16 (20 MINIMUM)		\$9 EACH	\$	\$18 EACH	\$
INDEP. CLAIMS	05	05 (3 MINIMUM)		\$40 EACH	\$	\$80 EACH	\$
FIRST PRESENTATION OF MULTIPLE DEPENDENT				\$135	\$	\$270	\$
<input type="checkbox"/> ONE MONTH EXTENSION OF TIME				\$55	\$	\$110	\$
<input checked="" type="checkbox"/> TWO MONTH EXTENSION OF TIME				\$195	\$	\$390	\$390.00
<input type="checkbox"/> THREE MONTH EXTENSION OF TIME				\$445	\$	\$890	\$
<input type="checkbox"/> FOUR MONTH EXTENSION OF TIME				\$690	\$	\$1390	\$
<input type="checkbox"/> FIVE MONTH EXTENSION OF TIME				\$945	\$	\$1890	\$
<input type="checkbox"/> LESS ANY EXTENSION FEE ALREADY PAID				minus	(\$)	minus	(\$)
<input type="checkbox"/> TERMINAL DISCLAIMER				\$55	\$	\$110	\$
<input type="checkbox"/> OTHER FEE OR SURCHARGE AS FOLLOWS:							
TOTAL FEE DUE							\$390.00

☒ A Check is enclosed in the amount of \$390.00.

☒ Petition is hereby made under 37 C.F.R. 1.136(a) to extend the time for response to the Final Office Action Dated March 2, 2000, following the Advisory Action dated August 29, 2000,

Notice of Appeal filed September 5, 2000, received by the U.S. Patent Office on **September 8, 2000** and Advisory Action dated November 24, 2000 to and through **January 8, 2001** comprising an extension of the shortened statutory period of **two month(s)**.

☒ The Commissioner is hereby requested to grant an extension of time for the appropriate length of time, should one be necessary, in connection with this filing or any future filing submitted to the U.S. Patent and Trademark Office in the above-identified application during the pendency of this application. The Commissioner is further authorized to charge any fees related to any such extension of time to deposit account 23-3050. This sheet is provided in duplicate.

☒ The Commissioner is authorized to charge payment of the following fees and to refund any overpayment associated with this communication or during the pendency of this application to deposit account 23-3050. This sheet is provided in duplicate.

☐ The Foregoing Amount Due for Filing this Paper.

☒ Any additional filing fees required, including fees for the presentation of extra claims under 37 C.F.R. 1.16.

☒ Any additional patent application processing fees under 37 C.F.R. 1.17 or 1.20(d).

SHOULD ANY DEFICIENCIES APPEAR with respect to this application, including deficiencies in payment of fees, missing parts of the application or otherwise, the United States Patent and Trademark Office is respectfully requested to promptly notify the undersigned.

Date: *January 5, 2001*

Doreen Yatko Trujillo
Doreen Yatko Trujillo
Registration No. **35,719**

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